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**apil** association of  
personal injury  
lawyers



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report  
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Allan Gore QC President



Richard Langton Vice President



Denise Kitchener Chief Executive



Roger Bolt Treasurer



Frances Swaine Secretary

# apil objectives



"To promote full and just compensation for all types of personal injury

To promote and develop expertise in the practice of personal injury law

To promote wider redress for personal injury in the legal system

To campaign for improvements in personal injury law

To promote safety and alert the public to hazards wherever they arise

To provide a communication network for members"

# president's report.....

This has been another eventful year. Personal injury work has become something of a political hot potato. Various initiatives are going on involving government departments dealing with, essentially, making the system more streamlined and cheaper.

Shortly after our Annual General Meeting last year, the Better Regulation Task Force (BRTF) published its report, *Better Routes to Redress*. At APIL's annual conference, we held a debate called *Compensation culture: put up or shut up*. The BRTF report following on from that, declared that the compensation culture was indeed, a myth. In spite of this, stories were still being run in the press, TV and radio supporting the opposite view. This has continued even though the Lord Chancellor, in a very firm speech in November, came out against the notion of a compensation culture. APIL has been very active and has adopted a "zero tolerance" policy. Whenever we have seen an article in a newspaper, we have responded. This has meant that APIL has had quite a high profile over the last 12 months in the midst of this debate. I have had a number of letters published in national daily newspapers as well as appearing on television and radio in an effort to refute the idea that there is a compensation culture. I like to think that we have had some effect, but the media is still fond of putting forward these stories. The BRTF also recommended that the Department for Constitutional Affairs (DCA)

should investigate the implications of raising the small claims limit for personal injury cases to £5,000. The DCA is carrying out such investigations and is involving all stakeholders, including APIL, which has already been very vociferous in its statements made against raising the limit. The effect of doing so would effectively deprive injured people of their rights: they would have to go it alone.

Interestingly, there have been two pieces of research into the small claims court. The latest, in 2002 was commissioned by the DCA. Professor John Baldwin, who carried out the research, said:

**"It is doubtful that the interests of justice will be served simply by leaving PI claimants to their own devices in preparing for the hearings, as happens with other kinds of small claims."**

In the light of this, it is perhaps surprising that the BRTF put forward their recommendation. The DCA should publish its report in 2006. APIL also played a significant role in developing the proposed pilot for handling employers' liability cases for less than £10,000. The Department for Work and Pensions, in a report on the level of employers' liability compulsory insurance premiums, stated that it

wanted to run a pilot to see if the claims could be handled more effectively and economically. The proposed pilot had many features which I found attractive. For example, there was the requirement for early notification. This would give the other side the opportunity to admit liability quickly and to cover the cost of a rehabilitation programme. Its useful features could be considered when and if any reforms to the system of resolving such cases take place.

APIL has also continued to be very active in the area of rehabilitation. It has produced an excellent guide for practitioners on this subject. The pre-action protocol now requires consideration of rehabilitation to be given. I passionately believe that the role of a personal injury lawyer is to consider what rehabilitation is available to help the injured person get better as a primary consideration. APIL continues to liaise with other interested parties, in particular the insurance industry, on how to ensure that there is decent provision for injured people. In my view, rehabilitation will feature much more in the claims handling process.

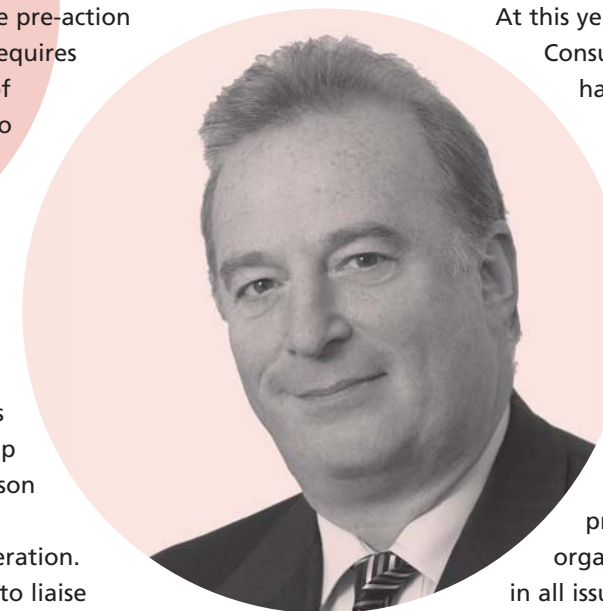
One of the most significant developments of the year has been the introduction of periodical payments. This is probably the most radical change to the assessment of

compensation, ever. The indications are that the courts will make orders for periodical payments rather than lump sums as a rule. It is important that personal injury practitioners are familiar with the law and ready to apply it, as the impact on clients could be extremely beneficial. There is still an issue concerning indexation of periodical payments and hopefully this will be resolved in favour of the injured claimant. After all, the most seriously injured, who are entitled to future loss of earnings and care costs, are routinely under-compensated. This should be remedied.

At this year's conference we introduced the Consumer Charter. To which members have pledged their support. We must look after our clients and ensure that their interests are put first. Signing up to this charter is very much a demonstration that they will, indeed, be put at the centre of the process and that their interests will remain paramount.

I have been proud to be president of APIL. It is an immense organisation. We have been involved in all issues directly concerned with injured claimants. Our voice has been heard. It is considered a credible voice in all quarters. I am confident that APIL will continue to do what it can to protect and, indeed, enhance the interests of those who have been injured through no fault of their own.

**Allan Gore QC**  
President.



# secretary's report

- In my first year as APIL secretary, I have been amazed by the range and scale of work APIL has been actively involved with on behalf of injured people and, in addition providing key support services to members including training, information and publications.
- APIL has become a **key contributor, key player and key commentator** in all issues surrounding the rights of injured people and personal injury law.
- The key work of the association is undertaken by a professional team of staff, based in Nottingham, all of which work on a daily basis with APIL members. The headcount for APIL staff averaged 28. Staffing levels were reduced due to the outsourcing of APIL's photocopying operation. During the year two new posts were created – head of business support services and accounts assistant (part time).
- APIL's Annual General Meeting took place on 27 April 2005 at the Celtic Manor Hotel, in Newport where the executive committee said a sad farewell to Mark Harvey and David Marshall. David and Mark worked tirelessly during their time as EC members and officers, providing support and giving much time to the work of the association. We are delighted that both are remaining actively involved with key areas of policy and lobbying work and, in addition, both are part of APIL's training team of practitioners.
- We welcomed Richard Langton, elected uncontested, as APIL vice president and EC members were delighted by the number of nominations received in 2005 to join the executive committee. Following the ballot of members, we welcomed John McQuater, Christopher Limb and Neil Sugarman. Mark Turnbull, Fred Tyler and Robert Martin were re-elected and following his relocation to England, Colm Barry stood down as the EC's Republic of Ireland representative.

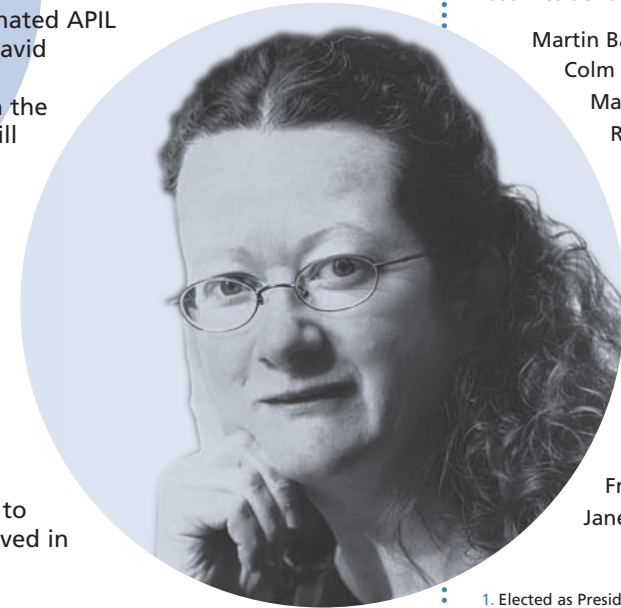
During 2005, there were eight meetings, six of which were held in London, one in Newport and one in Edinburgh. The London meeting, in September, included discussion with APIL regional group and special interest group co-ordinators.

Nearing the end of the year Patrick Allen, of Hodge Jones and Allen, stood down as APIL's representative on the Law Society's Council. Our thanks to Patrick for undertaking this role and ensuring the voice of APIL was heard in this arena. The executive committee nominated APIL past president, David Marshall to take Patrick's place on the Council. David will also represent APIL on the Law Society civil litigation committee.

It has been a pleasure serving as APIL's secretary and as the battles we face continue to grow, I urge you to get actively involved in the work of the association.

Thank you to our executive committee members, for all their time and effort which was given on a voluntary unremunerated basis. Thank you also to the SIG and regional group co-ordinators and secretaries for their much needed efforts and support throughout the year. My final thanks go to the APIL staff who with us to ensure this association continues its vital work.

**Frances Swaine**  
Secretary



Attendances at EC meetings (maximum 8):		
President	Allan Gore QC <sup>1</sup>	8
Vice President	Richard Langton <sup>2</sup>	7
Secretary	Frances Swaine <sup>3</sup>	7
Treasurer	Roger Bolt	8
Immediate Past President	Colin Ettinger <sup>4</sup>	8
	Martin Bare	8
	Colm Barry <sup>5</sup>	2
	Mark Harvey <sup>6</sup>	3
	Richard Holt	4
	Stephen Lawson	8
	Christopher Limb <sup>7</sup>	3
	Muiris Lyons	8
	David Marshall <sup>8</sup>	2
	Robert Martin <sup>9</sup>	4
	John McQuater <sup>7</sup>	5
	Hilary Meredith	4
	Amanda Stevens	7
	Neil Sugarman <sup>7</sup>	4
	Mark Turnbull <sup>9</sup>	8
	Fred Tyler <sup>9</sup>	6
	Jane Williams <sup>10</sup>	1

1. Elected as President at AGM: 28 April 2005  
Post as Vice President ended at April 2005 AGM  
2. Elected as Vice President at April 2005 AGM  
3. Elected as Secretary at April 2005 AGM  
4. Post as President ended at April 2005 AGM  
Post as Immediate Past President began at April 2005 AGM  
5. Stood down from executive committee on 2 June 2005  
6. Post as Secretary ended at April 2005 AGM  
7. Elected at April 2005 AGM  
8. Post as Immediate Past President ended at April 2005 AGM  
9. Re-elected at April 2005 AGM  
10. Did not stand for re-election at April 2005 AGM



# fighting for the rights of injured people

## Press

An average of two press releases a month were issued to national, regional, trade and broadcast press. Stories were based on a range of issues including workplace health and safety, government consultations and consumer-focussed issues. Examples include:

- Calls for warning symbols on medication
- Legal aid reforms
- Construction site safety
- Calls for tougher consequences for safety-shy bosses
- Pleural plaques test cases
- Risk aversion

17 broadcast interviews were given to both national and regional media. High profile interviews included:

- Allan Gore QC, APIL's president, talking to *Channel 5 News* and *Sky News* about the Compensation Bill
- Allan Gore QC taking part in a debate about risk aversion on the BBC's *Politics Show*
- APIL vice-president Richard Langton, talking to *Radio 5 Live* about the Criminal Injuries Compensation Scheme.

Five statements were issued by APIL in response to issues including the Civil Justice Council's announcement on fixed success fees for employers' liability (disease) cases, and a Constitutional Affairs Select Committee report on the small claims court.

The majority of APIL's coverage has been generated proactively through press releases and statements. Coverage has also resulted from quick responses to almost 200 enquiries from journalists.

## Criminal injuries compensation

APIL pre-empted a government consultation by issuing press material calling for changes to the Criminal Injuries Compensation Scheme to remove the £500,000 upper limit, and protect lower value claims. The association also asked for a meeting with the Home Office minister responsible for the scheme, to discuss this. The campaign will continue in 2006.

## Legal expenses insurance

Members have continued to report problems with the conduct of cases under legal expenses insurance (LEI) and particularly with clients complaining that they are not allowed the freedom to choose their own solicitor under LEI. Evidence of ongoing problems has been collected by the members and the issue has been raised with Which? the Office of Fair Trading and the Department for Constitutional Affairs. A meeting with the Financial Services Authority is being sought in 2006 to raise again our concerns on consumers' freedom of choice and other issues.

## Think Rehab

APIL's Think Rehab campaign continued in 2005 with the publication of a Directory of rehabilitation services, which lists over 170 entries. This publication and APIL's previously published best practice guide on rehabilitation was warmly welcomed by members and many other interested parties, including the Lord Chancellor. Colin Ettinger, David Marshall, Allan Gore QC and Ian Walker have actively supported on going awareness and practice work, by giving presentations to members, writing articles from the claimant's perspective and talking to insurers and providers.

## BRTF (Better Regulation Task Force) DCA Action Groups

Following the publication of the task force report, the Department of Constitutional Affairs established five action groups, supported by a stakeholders group. The work of the action groups is being followed by the Prime Minister and a number of government departments. APIL is represented on all these groups, which include the claims process, rehabilitation and advertising. APIL is ensuring that the claimant's viewpoint is expressed fully at all discussions, which are still on going.

## Consultation responses

Key public responses came from APIL every month in 2005. This included 26 consultation responses. Among the key consultations were:

- Department for Constitutional Affairs (DCA): The future of legal services: putting consumers first (Dec 2005). A consideration of the DCA's proposals for the establishment of a Legal Services Board and the suggested implementation of alternative business structures.
- Legal Services Commission (LSC): The use of experts (Feb 2005). A consideration of the LSC's review of the quality and cost of expert witnesses. Its main proposals involved the capping of expert fees, with public funding potentially only being granted to accredited experts.
- Department for Constitutional Affairs (DCA): A Single Civil Court? (Apr 2005). A consideration of issues surrounding the possible unification of the jurisdictions of the high court, the county courts and the family proceedings court.
- Health and Safety Executive (HSE): Evaluation of HSC enforcement policy statement (May 2005). Evaluation of the impact of the HSC's enforcement policy statement on securing compliance with health and safety law. The policy statement sets out the policies, principles and practices that the HSC expects the HSE and its partners in the local authorities to follow.
- Home Office: Corporate Manslaughter - The Government's Draft Bill for Reform (Jun 2005). Comments on the draft bill, which still failed to address many of the fundamental problems which make the current law unworkable. The bill also suggests that Corporate Manslaughter will only be applicable to organisations, with no liability for individual directors.
- Department for Constitutional Affairs (DCA): European Small Claims Procedure (ESCP) (Jul 2005). A consideration of a proposed procedure intended to provide a simplified and speedy procedure for low value claims as an alternative to Member States' schemes. The basic principles of the proposal are for a written procedure, with injured litigants able to claim costs for legal representation in certain circumstances where the court considers an oral hearing is necessary.
- Scottish Executive: Advice for All: Publicly funded legal assistance in Scotland - The way forward (Sep 2005). Views provided on recommendations made by the strategic review on the delivery of legal aid, advice and information and covers both measures which may be taken forward in the short term and more fundamental proposals for change to the legislative and delivery framework.
- Scottish Consumer Council (SCC): Modernising the Civil Justice System in Scotland (Apr 2005). This was the culmination of a SCC project to investigate the need to modernise Scotland's civil justice system via a series of seminars attended by invited stakeholders and chaired by the Right Honourable Lord Coulsfield.

## Compensation Bill

The Compensation Bill, introduced in the House of Lords in November, provided for the regulation of claims management companies, which APIL applauded as long overdue. It also attempted to clarify the law of negligence (through clause one) in order to reassure certain groups (such as volunteering organisations, teachers and local authorities) that risk aversion due to a misguided fear of litigation was unnecessary. APIL opposes this part of the bill, believing any attempt to enshrine 75 years of common law in legislation would cause confusion, with potentially serious consequences for injured people. Activity included:

- Initial press statement;
- Briefing note issued to relevant peers;
- Briefing note issued to legal journalists;
- Evidence presented to the all party parliamentary group on insurance and financial services;
- Meetings with government officials and minister responsible for the bill, Baroness Ashton of Upholland;
- Individual briefings of relevant peers during committee stage in the House of Lords;

- Evidence presented to the constitutional affairs select committee for its investigation into the compensation culture, in light of the Compensation Bill and NHS Redress Bill.

In addition, APIL hosted an evening debate at the House of Commons, entitled 'Compensation Bill – Problem or Panacea?' to coincide with the second reading of the bill. The objective was to explore the issues surrounding the negligence clause through lively debate and around 50 people attended, included MPs, volunteering groups and other interested parties. The panel comprised APIL president, Allan Gore QC, Bill Callaghan (chair of the HSC); Julian Brazier MP, and Alan Hunter (Zurich Commercial and Municipal). The debate was chaired by the editor of the Law Society's Gazette, Jonathan Ames.

### NHS Redress Bill

This bill, which enables the creation of a new scheme to deal with clinical negligence claims, had its first reading in the House of Lords in October. Activity included:

Detailed briefing notes issued to peers;  
Tabling of amendments;  
Meeting arranged with Department of Health in January 2006 to discuss the details of the new scheme;  
Activity in relation to the NHS Redress Bill is ongoing.

### Presentation of evidence in Westminster

During the year, APIL has presented evidence as follows:

- Oral evidence to the constitutional affairs select committee on two occasions: once on the subject of small claims (with the Law Society and CAB); once on the compensation culture (with the Law Society and MASS);
- Oral evidence to House of Lords sub committee E about the European Small Claims Procedure (with the Law Society);
- Written evidence to the home affairs / DWP joint select committee inquiry into corporate manslaughter;
- Presentation to the all party parliamentary group on insurance and financial services about the Compensation Bill.

### Safety culture

- The message that action should be taken to prevent the negligence which causes injury underpinned many APIL documents and presentations during the year.

- Development of a good working relationship with the Health and Safety Commission/Executive continued throughout the year.
- APIL worked with Andrew Dismore MP to produce and publicise the Pharmaceutical Labelling (warning of cognitive function impairment) Bill, which aims to introduce clearer labelling of medicines which can affect the brain, creating safety problems at work and on the roads. The second reading of the bill is scheduled for May 2006.

### Scotland

In addition to activity relating to consultations mentioned earlier in this document:

- A petition was presented which called on the Scottish Parliament to urge the Scottish Executive to review, as a matter of urgency, the Prescription and Limitation (Scotland) Act 1973. This will now be the subject of Scottish Law Commission consultation in 2006;
- Representations were made to the Scottish Executive arguing against an increase to the small claims court limit for personal injury cases;
- Representations were made to the Sheriff Court Rules Council (in conjunction with FOIL, MASS and the Scottish Claims Forum) in relation to discussions about mediation in the Scottish courts;
- Written contributions were made to the Scottish Executive in relation to the debate on corporate culpable homicide.

### Europe

APIL was invited to attend meetings of the European Stakeholder Group, hosted by the Department for Constitutional Affairs. In addition:

- Continued effort has been made to develop and maintain contacts with the Law Society and Pan European Organisation of Personal Injury Lawyers;
- Contacts have been developed with members of the House of Commons European Scrutiny Committee;
- A response was provided to a DCA consultation about Rome II proposals, to emphasise that the law of an injured person's country of residence should apply in cross-border personal injury cases.

### Northern Ireland

APIL activity has focussed on making representations to the Legal Services Commission during its review of funding in the jurisdiction. This work will continue in 2006.

## communications

In 2005, apil.com website and email hosting moved in-house. APIL consolidated the cpil.ac, consumersafetywatch.com and apilonline.com websites into apil.com to develop a new consumer web site.

- The homepage is now geared towards members of the public seeking a personal injury lawyer.
- Members' specialisms are recorded during the renewal process and the public can search according to areas of expertise and levels of accreditation.
- A further listing of all APIL members is available to the public.
- The number of visits to www.apil.com since 1 September 2005 has doubled.
- Since APIL's accreditation campaign began, (see page 14) the public has been directed to a 0870 number which receives about 80 calls per month.
- Claimants who call the 0870 number contact a member of staff at the APIL office who sends out a list of APIL members.
- The number of the calls to the 0870 number has doubled since 1 September.
- apil.com/training provides access to APIL's courses and events.
- apil.com/members offers news and resources for the membership.
- Visits to the web sites rose by 80 per cent to over 18,000 visits per month.
- apil.com has maintained its number one ranking in Google for personal injury searches.

### The top five areas of the APIL website site in 2005 have been:

- Members' discussion forums;
- 'Find a lawyer' search by the public;
- Members homepage (including news);
- APIL training area;
- Expert search.

### Weekly email alert

In 2005, APIL introduced graphics and formatting into the weekly alert to give it a better look and make it easier to read. Addition content was included with contributions from all departments.

### Agenda

APIL's monthly Agenda aims to update the membership on the association's campaigning activity and policy issues.

Articles are always based on current, newsworthy issues, and may include updates about press coverage, consultation responses, and parliamentary developments.

Issues covered during the year have included progress reports on parliamentary bills including the Corporate Manslaughter draft Bill, Compensation Bill and NHS Redress Bill. The Agenda has been a useful platform to keep members informed of ongoing campaigns, such as APIL's fight to prevent the small claims court limit from being raised, and the association's 'safety culture' campaign. Other issues which have been covered over the last year include:

- Negotiations on costs
- Policy working group updates
- Case updates
- Events such as the President's dinner and parliamentary reception
- European lobbying activity
- Health and safety at work

### PI Focus

- Six regular issues and one themed issue in 2005.
- Themed issue on medicine, ethics and clinical injury claims, October 2005.
- Advertising sales to the value of £39140 during 2005.
- Available online on the APIL website and circulated in printed format to all current APIL members and additional subscribers.



## Information Exchange

The information exchange service aims to assist members with their cases by providing information on expert services, tracing cases, sharing information on cases being pursued by other members, monitoring product recalls, issuing briefing notes on aspects of legal practice as and when necessary.

Briefing notes produced or updated in 2005:

- Success fees summary guide;
- List of CFA ATE insurers and brokers;
- New CFA regime: 1 November 2005 – information sheet;
- Tracing insolvent insurers information sheet;
- Quick start guides to using the online expert database and searching the discussion forums;
- APIL Accreditation: question and answer document 16 June 2005.

## Expert database

- To improve the service both to members who search the database and experts whose details are kept in the records, a decision was taken to make a charge to experts who register with the APIL expert database.
- In return for a fee of £45 plus VAT experts' records go into APIL's online database and experts are entitled to use the 'APIL Expert' logo on their notepaper.
- 1,106 experts have so far opted to pay to be on the expert database, with new and existing experts continuing to join every day.
- Average of 4,000 expert details viewed online each month.

## Dialogue with members

- 2005 is the year that the discussion forum on the APIL website came into its own. For the first time, over 9,000 lines of messages were posted in one year, half the total of all current messages on the general forum. Postings on the forum ranged from sourcing experts to technical legal queries which were usually answered in detail by several members with expertise or experience in the relevant area of enquiry.
- The discussion forums are a useful source of information for the association as members use them to talk directly to the office staff and APIL executive. For example, the debate on legal expenses insurance and the problems experienced by members and clients has been extensively discussed and analysed there (see below).
- More and more often members now correspond with APIL by email. Members continue to value APIL's input and all

trends on enquiries to the office and from the website forums are analysed and fed back either to other members of the APIL staff or the APIL executive.

## Hearing from our members

APIL members play a crucial part in providing information, based on their everyday caseloads, which informs the association's campaigns. In 2005, members responded to five major surveys:

- Potential impact of the threshold for personal injury cases in the small claims court being raised to £5000 (March 2005): This research, together with a MORI poll on public attitudes towards small claims, enabled the association to develop a credible position paper arguing against an increase in the small claims limit, which was presented to the Government. This debate still continues and the research will be expanded for use in 2006.
- Current operation of the predictable costs scheme for road traffic accidents under £10,000 (February and October 2005): Qualitative and quantitative research collated to inform the ongoing Government review of the scheme.
- Payment for referrals (August 2005): this research was designed to explore the views of members about payment for referrals to help the association refine its policy while the issue was under discussion by the Law Society.
- Mediation in Scotland (June 2005): survey of members of APIL Scotland to establish APIL's position on mediation in the jurisdiction.

## Work is also ongoing to develop/maintain relationships with the following organisations:

Which?  
Citizens Advice Bureaux  
Trades Union Congress  
Scottish Trade Union Congress  
Royal Society for the Prevention of Accidents  
Volunteering organisations  
Criminal Injuries Compensation Authority  
Criminal Injuries Compensation Appeals Panel  
Engineering Employers' Federation  
Association of District Judges  
Motor Insurer's Bureau  
Association of British Insurers  
UK Environmental Law Association  
Headway  
Spinal Injuries Association  
Royal College of Obstetricians and Gynaecologists  
Law Society of Scotland  
Local Law Societies.

## Books and other publications

### APIL Guides

APIL's continuing joint publishing venture with Jordan Publishing produced two new guides: the APIL Guide to personal injury claims procedure, by John McQuater and the APIL Guide to occupational illness claims by Christopher Goddard. As always, these books are designed to be practical, no-nonsense publications aimed at the busy practitioner, at an affordable price.

Planned publications worked on this year for 2006:

- APIL guide to pleadings and applications;
- APIL's personal injury law loose-leaf.

### Journal of Personal Injury Law (JPIL)

APIL's quarterly journal, published by Sweet & Maxwell continues to be a best-seller. The editorial board displays a healthy mix of interests and a good array of articles have been published this year covering diverse subjects, for example: employers' liability for violent employees; the NHS Redress Bill; Scotland being a 'better place to die'; and non-party disclosure.

### Rehabilitation directory

APIL's first directory of rehabilitation services has been met with a very positive response from both lawyers and others involved in the rehabilitative care of injured people. A further edition is planned, work for which will start in 2006.

## networking

### Special interest and regional groups

In addition to increased forum activities via the web, APIL continued to communicate its messages via the regional and special interest group network: 41 regional group meetings and 19 SIG meetings were held this year.

2005 also saw the introduction of our regional forums. Four were held in Manchester, London, Bristol and Cambridge, bringing together our procedure, damages, and costs and funding special interest groups and the local regional group.

Thanks to all coordinators, secretaries and EC members who have continued to maintain the high quality of group meetings.

### Charity golf day

The charity golf day held at the Celtic Manor comprised 100 players, joining up into teams of four. Experts, advertisers and members enjoyed 18 holes on the course.

## training and conferences

### Public schedule

- 41 different topics have been covered;
- A total of 90 events in various locations nationally;
- Five contract training events for the Accident Line scheme.

### In-house training and joint training with local law societies

- 21 courses in-house;
- A further 36 courses jointly with local law societies;
- Liverpool, Blackpool and Bristol local law societies "bought-in" to the newly established Certificate in Personal Injury Law and helped to spread awareness of the modules. Blackpool Law Society ran 14 courses this year alone.

### Other jurisdictions

- APIL continued to run a small number of training events in Scotland and Northern Ireland.
- A PI update conference ran jointly with The Law Society of Scotland in Edinburgh.
- Schedules for 2006 in both jurisdictions being developed.

### Web seminar

In response to calls from the membership, APIL ran its first ever web seminar: A guide to the new CFAs, this year. Just under 400 people registered to attend the seminar. Feedback from the seminar was very positive and APIL will run more in the future.

### APIL certificate in personal injury law

Two members: Mr Philip Roberts of Hinchliffes and Judith Morlidge of Janette Hill & Co were awarded the APIL Certificate in Personal Injury Law this year. In addition, Philip Roberts has been able to satisfy the trial experience for senior litigator status and has been fast-tracked through to this level.

Initial talks were held with the College of Law regarding outside accreditation of the certificate.



## Trainers' meeting

Another 'trainers session' was run in November 2005, during which all current speakers were brought together to discuss and share problems, brainstorm possible future events and ensure consistency of presentation and delivery throughout the whole schedule.

## Evaluation and quality monitoring

Analysis of feedback forms from all training events played a big part in APIL's workload this year.

- Feedback is reviewed quarterly by the training committee and APIL is very pleased with the overall response, particularly in comparison with other training providers.

The quality of training is continually monitored, assessed and reported on. APIL's independent academic quality council again this year commented on the high quality of training provision. Regular comments have been received from delegates, examples being:

"I have attended courses with various providers and APIL training is most definitely the best!"  
"Now only go to APIL training courses"  
"Delivery and quality of training is remarkable – speakers and papers second to none"

## External monitoring

- The Bar Council undertook an external monitoring exercise on a 'maximising damages' course being run jointly with Blackpool Law Society, and was very pleased with the standard of the course.

## In-house accreditation

- In 2005 15 firms applied for in-house accreditation of their courses, enabling accredited APIL members to accrue APIL CPD hours by attending any courses delivered at their firm.

## External accreditation

In 2005, the following organizations became APIL accredited providers:

Legal Network Television (LNTV)  
Action for Victims of Medical Accidents (AvMA)  
Central Law Training (CLT)  
Kent Law Society.

## CONFERENCES

### Clinical negligence conference

Another very successful residential clinical negligence conference programme was held at Oulton Hall, near Leeds.

Members listened to eminent experts and leading practitioners discussing key areas of clinical negligence work and the law.

### Annual conference

APIL's fifteenth anniversary year began in April with the annual conference and AGM at the Celtic Manor Resort, Newport, Wales. The conference was extremely well received by all concerned, including exhibitors, sponsors and speakers.



## public information campaign

In 2005, APIL launched its new public information campaign designed to direct the public to accredited APIL lawyers, clearly differentiating them from claims management companies.

Presented to members at the AGM, members gave resounding support to this initiative, which was based around independent focus group research, which showed that the public wanted clear pathways and access to accredited qualified lawyers.

A clear, recognisable kitemark was produced and showcased at our AGM, which would indicate to the public, membership of APIL's accreditation scheme. The accreditation scheme, monitored by an independent Academic Quality Council has been developed over a five year period through the College of Personal Injury Law.

To make sure messages to the public were clear, the CPIL accreditation scheme was transferred over to APIL, so that through various media, public would be directed to APIL accredited lawyers. This long term campaign aims to create a widely recognised and sought out mark of quality and confidence, as achieved, for example by ABTA. The scheme is supported by APIL's code of conduct and consumer charter. Public promotion of this new campaign began on 1 September, and includes a new eight page consumer information booklet, posters, a new consumer information website and telephone helpline. Booklets and posters

were circulated to CAB across the country, public libraries and trade union networks. In addition, APIL began the first part of a long term advertising programme through national and regional newspapers. We are delighted that Baroness Ashton, Department for Constitutional Affairs Minister, welcomed the campaign.

The first three months of the advertising programme promoted the APIL kitemark to over 5.7 million members of the public. The campaign will continue in 2006.

## Press and PR

Press releases about the campaign were issued to all national newspapers, regional press and media, relevant consumer magazines and professional journals in September. Press activity was supported with a MORI poll of public attitudes towards accreditation. The campaign's official launch took place at Haberdasher's Hall in London, and was attended by journalists and civil servants, along with guest speaker, author Nina Bawden, who was a victim of the Potter's Bar rail crash and delivered a speech about her experience and the importance of injured people using accredited, professional personal injury lawyers.

News of the scheme was included in two national newspapers and major journals, generating a total circulation of 1.6 million.

## Consumer Charter

It was agreed at the association's annual general meeting that signing up to APIL's consumer charter, which seeks to reassure injured people about the standard of care they can expect from APIL members, should be made a compulsory element of joining or renewing membership of the association

## Accreditation

The College of Personal Injury Law (CPIL) has been highly successful, over the past few years, in delivering training to the membership, but it was felt that the public found it confusing to have to understand that members could have CPIL membership levels as well as being members of APIL.

Consultation with a number of marketing organisations and with the membership led to a resolution at the annual general meeting in April 2005 to integrate the membership levels of CPIL into the APIL membership structure. This resolution was unanimously carried. CPIL's accredited membership and training activities

ceased trading under the name of CPIL and its training activities were re-branded as 'APIL Training' with a completely new look from 1 September 2005.

Criteria for the membership accreditation scheme were reviewed, with more monitoring systems introduced, in line with comments and direction from the Academic Quality Council.

## Use of the new logo

To spread awareness of APIL accreditation logo, new logos were created for individual accredited members. Members may now use the logos after their names, according to their status, forming part of their signature.

## Corporate membership

A new corporate accredited scheme was also introduced on 1 September. Its aim is to differentiate firms of solicitors and chambers from claims management companies. The scheme:

- ensures that the ratio of fee earners to accredited APIL members is less than 10:1 in all cases and that;
- At each office of each firm a member of the public can visit an APIL accredited lawyer and discuss his case with a qualified person.
- Once accepted into the scheme, firms commit to:
  - train their employees through various learning paths;
  - client care;
  - being available for monitoring.
- Over 130 applications for corporate accredited status received during the year and 111 have achieved accredited status.

## Accredited office logo

Corporate accredited firms can now use either the new logo on its own or with the words "accredited office" as below:



Corporate accredited firms are highlighted on the new APIL web site, with a hyperlink to the firm's web site, if requested. Each accredited office is being issued with window stickers and a corporate accredited membership certificate.

## code of conduct

- Complaints received at the APIL office relating to potential breaches of the code of conduct are referred to APIL's secretary.
- Reports of potential breaches of the code come from both members and the public and all are fully investigated.
- In 2005 a total of three sets of complaints were dealt with, including two serious complaints whose investigations were initiated by APIL's secretary, and which will continue into 2006. One of the two serious complaints relates to several members at a number of firms.
- The amended code of conduct came into operation at the time of membership renewal in March 2005. Changes included the need to reflect the changed rules relating to payment for referrals and issues of enforcement.

## business support forum

After a membership survey, meetings with members and a supporting working party, APIL launched a Business Support Forum for all firms and chambers with APIL members this year.

The forum will encourage dialogue, networking and sharing of information.

In addition, webcast seminars on topics such as CFA regulations and key case decisions are being arranged. The first seminar was held on 8 November to discuss the new CFA regulations; more discounted deals for members will be also investigated.

In 2006, APIL plans to hold a business support seminar at the AGM: a business conference and IT fair will also be developed for June 2006. A special business bulletin will be published, in conjunction with PI Focus. Publication of regular issues will be considered, once feedback from members is assessed.



Stuart Kightley and Edwina Rawson, who presented on costs and funding, at all four of APIL's new regional forum meetings



David Marshall and Mark Harvey helped to set up and then presented, APIL's first web based training seminar.



Sam Elsby was one of many who helped APIL set up of the Business Support Forum initiative.

## membership statistics

### Transfer of levels

The former CPIL membership levels and CPIL members were transferred over to the new APIL accredited levels as follows:

CPIL	APIL
Associate	Ceased
Member	Litigator
Litigator	Senior litigator
Fellow	Fellow
Senior fellow	Senior Fellow

### Membership totals

At the end of 2005, the membership breakdown by category was:

Practitioners	4569
Honorary	6
Non-practising	8
Students	122
Academics	15
Overseas	72
<b>Total</b>	<b>5069</b>

and the numbers of practitioners who had joined the accredited levels were as follows:

Litigators	234
Senior litigators	405
Fellows	122
Senior fellows	8
<b>Total</b>	<b>769</b>

The number of hours training required to maintain accredited membership was increased to 16 hours from 1 September 2005.

# financial report

# financial report

Income to APIL increased by seven per cent in 2005. Turnover was subsequently increased to £2.085 million.

The principal reasons for this continued rise in our income levels are the substantial increase in the income generated by our annual conference through both sponsorship and exhibitions resulting in a figure some £74,000 above budget and the generation of new income streams in terms of both individual and corporate accreditation applications and the expert database.

Overall, the total surplus recorded for this financial year on our normal trading activities was £92,300 plus a further £42,000 of bank interest on our investments. In the last three years we have seen the return on our investments grow year on year, which indicates we are continuing to make the best possible use of our cash holdings, with an actual increase this financial year of some 30.5 per cent.

The budget set for the financial year sought a surplus of £40,250. If we discount the exceptional item 'public information campaign,' the improved performance was achieved by maximising our income streams and controlling our expenditure levels, both areas showing improvements against their respective budget targets.

Additional expenditure from within APIL's reserves was made available by the executive committee, up to a maximum of £200,000 and subsequently approved at the 2005 AGM to fund the public information campaign. At the end of the reporting period, a total of £167,000 of this allocation had been

expended. The trading surplus outlined above does not include this 'special project' expenditure. Obviously, when the spend on the public information campaign is taken into account, the final year end position then reflects a deficit situation of £27,000.

In addition, as a result of the draw down of funds from our reserves, they have been reduced by £27,000, however, we believe that they are still of a sufficient level for our short to medium term financial needs, in accordance with our existing reserves policy.

The entire APIL staff has worked tirelessly, effectively and efficiently in order to meet and indeed better the budget targets set. In addition, I am grateful to the finance team for the way it has supported the business operations of APIL so effectively throughout the year.

I conclude by thanking the entire staff team for their support and hard work in continuing to make APIL a strong and sound financially viable organisation.

**Roger Bolt**  
Treasurer

## association of personal injury lawyers a company limited by guarantee

annual report year ended 31 december 2005

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### ASSOCIATION OF PERSONAL INJURY LAWYERS

A company limited by guarantee

### REPORT OF THE EXECUTIVE COMMITTEE YEAR ENDED 31 DECEMBER 2005

#### ACTIVITY

The principal activity of the company is to promote, encourage and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge.

#### REVIEW OF DEVELOPMENTS AND FUTURE PROSPECTS

A substantial proportion of the reserves set aside in 2005 for a specific development project, has now been invested. However, because the all round trading activity of the organization has gone from strength to strength in the year, the effect on our reserves has proved to be minimal. We fully expect this trend to continue in 2006.

#### RESULTS

Details of the results for the year are set out in the income and expenditure account on page 21.

#### CHARITABLE GIFTS

£1,500 (2004:- £1,545) was donated in the year, £1,000 to the National Kidney Patients Association, nominated charity for APIL Golf Day, and £500 to Age Eidsvig awarded the PEOPI Prize, sponsored by APIL.

#### STATEMENT OF RESPONSIBILITIES

Company law requires the executive committee to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing those financial statements the executive committee are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The executive committee are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 1985. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The executive committee are responsible for ensuring that the reports and other information included in the annual report are prepared in accordance with UK company law.

#### EXECUTIVE COMMITTEE

C Ettinger	S Lawson
A Gore*	M Lyons
C Limb	R Martin
R Bolt*	H Meredith
J McQuarter	A Stevens
N Sugarman	F Swaine*
M Bare	M Turnbull
R Holt	F Tyler
R Langton*	J Williams (28th April 2005)
M Harvey (28th April 2005)	C Barry (20th May 2005)

\*are also directors of the company

#### AUDITORS

PKF (UK) LLP are eligible for re-appointment as auditor to the company and a resolution proposing their re-appointment will be proposed at the AGM.

Approved by the Executive Committee and signed on their behalf.

**F Swaine**  
Secretary and Director  
7 March 2006



## INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF ASSOCIATION OF PERSONAL INJURY LAWYERS

A company limited by guarantee

We have audited the financial statements of Association of Personal Injury Lawyers for the year ended 31 December 2005 which comprise the Income and Expenditure Account, the Balance Sheet, and the related notes. These financial statements have been prepared under the accounting policies set out therein.

This report is made solely to the company's members, as a body, in accordance with Section 235 of the Companies Act 1985. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

### Respective responsibilities of the executive committee and auditors

The executive committee's responsibilities for preparing the annual report and the financial statements in accordance with applicable law and United Kingdom accounting standards ('United Kingdom Generally Accepted Accounting Practice') are set out in the statement of responsibilities.

Our responsibility is to audit the financial statements in accordance with the relevant legal and regulatory requirements and International Standards on Auditing (UK and Ireland).

We report to you our opinion as to whether the financial statements give a true and fair view and are properly prepared in accordance with the Companies Act 1985. We also report to you if, in our opinion, the Report of the Executive Committee is not consistent with the financial statements, if the company has not kept proper accounting records, if we have not received all the information and explanations we require for our audit, or if information specified by law regarding

directors' remuneration and transactions with the company is not disclosed.

We read the Report of the Executive Committee and consider the implications for our report if we become aware of any apparent misstatements within it.

### Basis of opinion

We conducted our audit in accordance with International Standards on Auditing (UK and Ireland) issued by the Auditing Practices Board. An audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures in the financial statements. It also includes an assessment of the significant estimates and judgements made by the executive committee in the preparation of the financial statements, and of whether the accounting policies are appropriate to the company's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

### Opinion

In our opinion the financial statements:

- give a true and fair view, in accordance with United Kingdom Generally Accepted Accounting Practice, of the state of the company's affairs as at 31 December 2005 and of its deficit for the year then ended; and
- have been properly prepared in accordance with the Companies Act 1985.

**PKF**

PKF (UK) LLP  
Registered Auditors  
Nottingham, UK  
8 March 2006

## INCOME AND EXPENDITURE ACCOUNT YEAR ENDED 31 DECEMBER 2005

	Note	2005 £	2004 £
<b>INCOME</b>			
Subscriptions	2	907,975	893,575
Other income		1,177,692	1,055,059
		<b>2,085,667</b>	<b>1,948,634</b>
<b>EXPENDITURE</b>			
Administration expenses		(1,993,367)	(1,858,469)
Exceptional item - Public Information Campaign		(167,301)	—
<b>(DEFICIT)/SURPLUS OF INCOME OVER EXPENDITURE</b>		<b>(75,001)</b>	<b>90,165</b>
Interest receivable	4	42,246	32,379
<b>(DEFICIT)/SURPLUS OF INCOME OVER EXPENDITURE BEFORE TAX</b>	5	<b>(32,755)</b>	<b>122,544</b>
Taxation	6	5,650	(25,780)
<b>Surplus after tax</b>		<b>(27,105)</b>	<b>96,764</b>
<b>Balance brought forward</b>		<b>392,679</b>	<b>295,915</b>
<b>Balance carried forward</b>		<b>365,574</b>	<b>392,679</b>

All activities derive from continuing operations.

There are no recognised gains or losses for the current financial year or previous period other than as stated in the income and expenditure account.

## BALANCE SHEET 31 DECEMBER 2005

	Note	2005 £	2004 £
<b>FIXED ASSETS</b>			
Tangible assets	7	36,899	55,818
<b>CURRENT ASSETS</b>			
Debtors	8	36,083	23,767
Prepayments and accrued income		32,038	48,195
Cash at bank and in hand		728,681	692,648
		<b>796,802</b>	<b>764,610</b>
<b>CREDITORS: amounts falling due within one year</b>	9	<b>(467,382)</b>	<b>(422,966)</b>
<b>NET CURRENT ASSETS</b>		<b>392,420</b>	<b>341,644</b>
<b>TOTAL ASSETS LESS CURRENT LIABILITIES</b>		<b>366,319</b>	<b>397,462</b>
<b>PROVISIONS FOR LIABILITIES AND CHARGES</b>	10	<b>(745)</b>	<b>(4,783)</b>
		<b>365,574</b>	<b>392,679</b>
<b>RESERVES</b>			
Income and expenditure account		365,574	392,679

These financial statements were approved by the Officers on 7 March 2006.  
Signed on behalf of the Executive Committee

R BOLT  
Treasurer and Director



## NOTES TO THE ACCOUNTS YEAR ENDED 31 DECEMBER 2005

### 1. ACCOUNTING POLICIES

The financial statements are prepared in accordance with applicable accounting standards. The particular accounting policies adopted are described below. The financial statements depart from the Companies Act 1985 in that the profit and loss account has been replaced by an income and expenditure account. The Executive Committee consider that this policy is more appropriate given the nature of the company's activities.

#### Accounting convention

The financial statements are prepared under the historical cost convention.

#### Subscriptions income

Subscriptions to the association cover a period of twelve months to 31 March each year. Subscriptions received during the year have been credited to the income and expenditure account, subject to the deferral of three months of each subscription, representing that portion attributable from 1 January 2006 to 31 March 2006.

### 2. SUBSCRIPTIONS

	2005	2004	2005	2004
	No.	No.	£	£
Practitioner members	4,738	4,910	867,361	891,830
Student members	119	192	4,785	7,680
Paralegal members	156	52	14,820	4,900
Academic members	16	21	1,200	1,575
Overseas members	74	76	6,290	6,460
	<u>5,103</u>	<u>5,251</u>	<u>894,456</u>	<u>912,445</u>
Add: Deferred income brought forward			232,883	214,013
Less: Deferred income carried forward (see note 1)			(226,289)	(232,883)
			<u>901,050</u>	<u>893,575</u>
Corporate accreditation income			27,450	—
Less: Deferred income carried forward			(20,525)	—
			<u>6,925</u>	<u>—</u>
			<u>907,975</u>	<u>893,575</u>

### Investment income

Investment income is credited to the income and expenditure account on an accruals basis.

### Tangible fixed assets

Depreciation of tangible fixed assets is calculated to write off their cost over the period of their estimated useful economic lives at the following rate:

Computer equipment and fixtures and fittings 20% per annum on cost

### Pension scheme

The company contributes to the personal pension schemes of certain employees. Costs are charged to the income and expenditure account as they are incurred.

### Leases

Operating lease rentals are charged against income in equal amounts over the lease term.

### Deferred tax

Deferred taxation has been recognised as a liability as transactions have occurred at the balance sheet date that give rise to an obligation to pay more taxation in the future. The deferred tax liabilities have not been discounted.

### 3. COMMITTEE AND EMPLOYEES

	2005	2004
	£	£

Membership of the executive committee is voluntary. No remuneration for executive committee duties has been paid in the year.

#### Employee costs during the year

Wages and salaries	600,731	611,379
Social security costs	60,416	56,254
Pension costs	20,174	17,881
	<u>681,320</u>	<u>685,514</u>

Average number of persons employed	No.	No.
------------------------------------	-----	-----

Administration	28	28
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### 4. INTEREST RECEIVABLE

	2005	2004
	£	£
Bank deposit interest	<u>42,246</u>	<u>32,379</u>

### 5. (DEFICIT)/SURPLUS OF INCOME OVER EXPENDITURE BEFORE TAX

	2005	2004
	£	£
The result for the year is after charging:		
Depreciation	31,500	28,168
Auditors' remuneration	3,750	3,650
Rentals under operating leases – land and buildings	37,500	37,500
– other	3,244	33,913
Loss on disposal of fixed asset	<u>2,636</u>	<u>3,526</u>

### 6. TAXATION ON RESULTS FOR YEAR

	2005	2004
	£	£
United Kingdom corporation tax charge at an effective rate of 19% (2004: 19%) based on taxable deficit/(surplus) for the year	(1,603)	28,008
Under/(over) provision in respect of previous year	(9)	1,013
	<u>(1,612)</u>	<u>29,021</u>
Deferred taxation (see note 10)	(4,038)	(3,241)
	<u>(5,650)</u>	<u>25,780</u>

#### FACTORS AFFECTING TAX CHARGE FOR PERIOD

	2005	2004
	£	£
deficit/(surplus) of income over expenditure before tax	(32,755)	122,544
Profit on ordinary activities multiplied by the effective rate of corporation tax in the UK of 19% (2003: 19%)	(6,223)	23,283
Effects of:		
– Expenses not deductible for tax purposes	475	1,484
– Depreciation in excess of capital allowances	4,145	3,241
– Adjustments to tax charge in respect of previous periods	(9)	1,013
Current tax charge for the period	<u>(1,612)</u>	<u>29,021</u>

**7. FIXED ASSETS**

	Computer Equipment, Fixtures & Fittings	Total
	£	£
<b>Cost</b>		
At 1 January 2005	186,296	186,296
Additions during the year	15,445	15,445
Disposals	(18,937)	(18,937)
At 31 December 2005	182,804	182,804
<b>Accumulated depreciation</b>		
At 1 January 2005	130,478	130,478
Charge for the year	31,500	31,500
On disposals	(16,073)	(16,073)
At 31 December 2005	145,905	145,905
<b>Net book amount</b>		
At 31 December 2005	36,899	36,899
At 31 December 2004	55,818	55,818

**8. DEBTORS**

	2005	2004
	£	£
<b>Due within year</b>		
Trade debtors	14,089	6,315
Other debtors	21,994	17,452
	36,083	23,767

**9. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	2005	2004
	£	£
Trade creditors	71,622	8,801
Corporation tax	—	28,008
Deferred income – subscriptions	226,289	232,883
Deferred income – accreditation	20,525	—
Deferred income – courses	57,329	56,735
Deferred income – other	53,122	40,177
Accruals	38,495	56,362
	467,382	422,966

**10. PROVISIONS FOR LIABILITIES AND CHARGES**

The amounts of deferred taxation provided in the accounts are:

	2005	2004
	£	£
Accelerated capital allowances	745	4,783

**11. OTHER COMMITMENTS**

At 31 December 2005, the company had annual commitments under operating leases as follows:

	Other 2005 £	Land and buildings 2005 £	Other 2004 £	Land and buildings 2004 £
Leases which expire:				
Between 1 and 5 years	3,244	48,000	2,908	37,500

**12. SHARE CAPITAL**

The company is limited by guarantee and does not have share capital.

**ADDITIONAL INFORMATION**

The additional information below has been prepared from the accounting records of the company. While it does not form part of the statutory financial statements, it should be read in conjunction with them and the auditors' report thereon.

**Detailed Income and Expenditure Account**

	2005	2004
	£	£
<b>INCOME</b>		
Membership (including other related income)	934,287	934,820
Conference, SIGS and Regional Meetings	253,130	209,419
Training Events	788,587	751,569
Legal Services	109,663	52,826
	2,085,667	1,948,634
<b>DIRECT EXPENDITURE</b>		
Membership (including other related expenditure)	52,808	39,919
Conference, SIGS and Regional Meetings	199,795	161,851
Training Events	558,230	489,491
Legal Services	49,666	39,843
Press and Parliamentary	53,997	61,803
	(914,496)	(792,907)
<b>SALARIES AND OVERHEAD EXPENDITURE</b>		
Staff Costs (including training and recruitment)	712,689	705,079
Property Costs	75,714	77,848
APIL Stationery, Postage and Other costs	193,161	205,446
Staff Travel	14,995	14,346
Executive Committee	50,812	34,675
Depreciation	31,500	28,168
	(1,078,871)	(1,065,562)
Exceptional item - Public Information Campaign	(167,301)	—
<b>OPERATING (DEFICIT)/SUPPLUS</b>	(75,001)	90,165
Interest Receivable	42,246	32,379
<b>(DEFICIT)/SURPLUS OF INCOME OVER EXPENDITURE</b>	(32,755)	122,544

# chief executive's report

I hope this report heartens you in terms of the work undertaken by the APIL staff and members. I appreciate that 2005 was yet another challenging year for all of us, with personal injury law still very much centre stage and practices and chambers having to respond to many more commercial challenges. The previous year had seen the compensation culture arguments reach their peak. In 2005, stakeholders and others agreed that the compensation culture was a myth, but that a perception was still dangerous. APIL has, through it all, continued on with its fight to keep the rights of injured person very firmly in the hearts and minds of all those we speak to.

From one month to the next, our work revolves around the key objectives of our organisation which are proudly listed at the very front of this report. We know that all of you fight hard for the rights of injured people and we want to ensure that legal representation is maintained, with information and access to justice provided by competent specialist personal injury lawyers. Thank you for continuing to subscribe to APIL's objectives and our work. Our aim is to provide highly appropriate, quality services and activities and provide well researched, accurate information and commentary to both our members and to other stakeholders and opinion formers.

While we have been invited to participate in key debates and activities led by the government in areas such as claims process streamlining, advertising, risk management, public awareness, we are concerned by a change in approach by insurers who claim to put the consumer at the centre of all they do.

We know that insurers have only one master: the shareholder. Their bank balances and powerful voices get them heard. Our press coverage shows that APIL has responded swiftly and, when necessary noisily, to articles about spurious claims and other constant misinformation and that, I can assure you, will continue.

Our standing within the arena in which we work continues to increase and while the battles get harder, I am pleased to report that we receive regular unsolicited comments that our organisation is held in high regard by other key stakeholders. We listen to all our members who choose to talk directly to us and I am so delighted that more and more members are taking an active part and personally supporting our campaigns by writing to local MPs, providing evidence and client cases studies and responding to our calls for data.

We are never complacent. Our association has members in over 2,500 firms throughout England and Wales, Scotland, Ireland and overseas and we appreciate that firms have

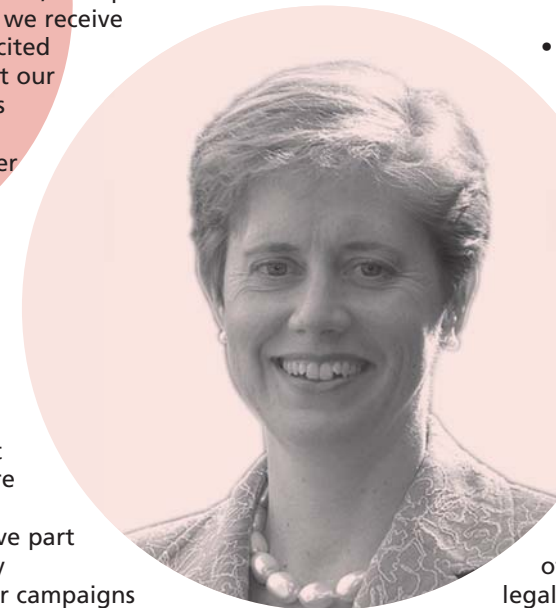
different approaches to running their firms and chambers. In addition to our current services, we want to help firms wherever we can and our networking structures are being enhanced through a new Business Support Forum, launched in 2005, to provide greater support services and activities, including information alerts and practical training.

As for the future overall, APIL's new three year business strategy will focus on three key areas:

- Continuing to strengthen our position as a powerful, knowledgeable, pro-active and useful representative body fighting for the rights of injured people;
- Maintaining connections with our members, in the light of a changing PI market and providing relevant services and activities;
- Raising the public's awareness of APIL's kite mark and providing information and guidance.

I am watching carefully the changes unfolding around the establishment of the new regulatory framework for legal services and hope you will continue to support APIL in the future. I have always firmly believed, and thankfully am reassured by members, that APIL is a strong members' association and, whilst smaller than many key players, packs a full punch at every opportunity. Full access to justice with independent legal representation is an essential right for us all.

**Denise Kitchener**  
Chief Executive



# past presidents, officers and executive committee members of apil.....

## Past presidents

John Melville Williams QC	1990-1994
Michael Napier	1994-1996
Caroline Harmer	1996-1998
Ian Walker	1998-2000
Frances McCarthy	2000-2002
Patrick Allen	2002-2003
David Marshall	2003-2004
Colin Ettinger	2004-2005

## Past vice presidents

Simon Walton	1990-1992
Michael Napier	1992-1994
Caroline Harmer	1994-1996
Ian Walker	1996-1998
Frances McCarthy	1998-2000
David Marshall	2000-2003
Colin Ettinger	2003-2004
Allan Gore QC	2004-2005

## Past secretaries

Michael Napier	1990-1992
Roger Goodier	1992-1997
John Pickering	1997-1998
Paul Balen	1998-2000
Mark Harvey	2000-2005

## Past treasurers

Gillian Solly	1990-1994
Frances McCarthy	1994-1998
David Marshall	1998-2002
Allan Gore QC	2002-2004

## Past executive committee members

Patrick Allen	1992-2000
Paul Balen	1996-2000
Colm Barry	2003-2005
David Body	1990-1991
Roger Bolt	1997-2004
David Burnside	1990-1996
Christopher Carling	1990-1995
Andrew Dismore	1994-2000
Paul Donnelly	1999-2002
Colin Ettinger	1998-2003
Gordon Exall	2000-2003
Allan Gore QC	1995-2002
Frank Hanna	1990-1999
Caroline Harmer	1990-1994
Mark Harvey	1999-2000
Campbell Kennedy	1990-1992
Richard Langton	2000-2005
Sarah Leigh	1992-1997
Russell Levy	1996-1999
David Marshall	1996-1998
Frances McCarthy	1990-2002
Peter McDonnell	1999-2003
Neil McKinley	1998-2001
John Pickering	1990-1997
Andrew Ritchie	1996-1999
David Short	1999-2002
Arnold Simanowitz	1990-1997
Nigel Tomkins	1996-1999
Ian Walker	1994-1996
Laura Walker	1996-1999
Jane Williams	2002-2005